

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Advisory Action mailed on August 18, 2005. Claims 1-3, 6-16, 24, 25 and 28 are rejected.

The Examiner rejected claims 1-3, 6-8, 24, 25 and 28 under 35 U.S.C. § 102(e) as being anticipated by Ferguson, (U.S. Patent Application No. 2002/0178232, hereinafter "Ferguson"). Claims 9-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson, in view of Tso, et al., (U.S. Patent No. 6,421,733, hereinafter "Tso").

In the Advisory Action, the Examiner restates the rejections from the Final Office Action of May 26, 2005, without addressing Applicant's detailed arguments provided in the Amendment filed on July 15, 2005. Applicant respectfully requests the Examiner to respond to the following arguments regarding Ferguson's teachings.

Firstly, the Examiner states as follows:

Ferguson teaches displaying a set of one or more selectable data exchange modes (Fig.12, page 14, para. [0166])), "... a current Web page is being displayed on the browser 62 and the Invention Interface 404 "floats" above the window of the browser 62 (see FIG.12) "Web page has embedded therein one or more links") in the vicinity of a cursor upon detecting that a user has pressed a button of a cursor control device while the cursor is inside a selectable area associated with a file reference (page 14, para. [0166], "In step 80, the user clicks...").

Applicant respectfully disagrees. Paragraph [0166] and associated flowchart in FIG. 17 of Ferguson teach that Invention Interface 404 is displayed before the user clicks and holds left mouse button: "The method begins at step 79 as a current Web page is being displayed on the browser 62 and the Invention Interface 404 "floats" above the window of the browser 62". Paragraph [0165] of Ferguson also teaches that the user must initiate the display of Invention

Interface 404 before positioning the cursor over the selected link and pressing the left mouse button: “This ensures that the Invention Interface 404 is always ready to received D&D hyperlinks from the browser, and also ensures maximum viewership for the advertising in the Invention Interface 404”.

In contrast, in the presently claimed invention, a set of one or more selectable data exchange modes is displayed upon detecting that a user has pressed a button of the cursor control device, i.e., data exchange modes are displayed after the user clicks and holds left mouse button. As a result, the interface of the present invention does not obscure the main document before the user’s selection of a link. At the same time, the interface of the present invention is not available for advertisements before the link selection is made.

Moreover, contrary to the presently claimed invention, Interface 404 of Ferguson does not display any of the selectable data exchange modes. Instead, Interface 404 contains an area where the user can drop a hyperlink after dragging it from the main browser.

Secondly, the Examiner states as follows:

Ferguson teaches detecting that the user has moved the cursor over a data exchange mode selected by the user from the set without releasing the button of the cursor control device (page 14, para.[0166]). “... and holds the left mouse button 75 (or equivalent single click and hold left mouse function process on their pointing device) on the link he/she wishes to view in the future.”).

Applicant respectfully disagrees. “Link he/she wishes to view in the future” as referenced in Ferguson is an example of a selectable area associated with a file reference, but not a data exchange mode as suggested by the Examiner. Different links point to different network addresses while different data exchange modes are applied to modify the data exchange with the same network address.

Thirdly, the Examiner states as follows:

Ferguson teaches canceling the display of the set upon detecting that the user has released the button of the cursor control device while keeping the cursor over the selected data exchange mode (page 14, para. [0166], “The user drags the link on to the Invention Interface 404 and then releases the left mouse button (or the equivalent”).

Applicant respectfully disagrees. Paragraph [0166] of Ferguson has no mentioning of canceling the display of the Invention Interface 404. Furthermore, the presence of the “Close” button in the top right corner of the Invention Interface window on Figs. 13, 15 and 16 indicates that the display of the Invention Interface 404 is not designed to be canceled automatically in response to releasing the button of the cursor control device, as claimed in the present invention.

Moreover, Ferguson teaches continuing to display Invention Interface 404 while the user is not interacting with it: “The Banner Display Manager 704 passes the ad to the Invention Interface 404 for display of the ad banner in the interface for the next 2 minute time slot (paragraph [0116])”.

Further, Applicant agrees with the Examiner’s statement that “smart” proxy as taught by Tso can be used to perform data modifications requested by selecting a data exchange mode. However, Ferguson does not describe an interface for selecting a data exchange mode that can be used with a smart proxy as taught by Tso: all links selected accordingly to Ferguson’s teachings are loaded using the same data exchange mode. Invention Interface 404 allows only to preload the link content, not to give instructions to the proxy on how to modify the data exchange mode.

Accordingly, Ferguson and Tso, taken alone or in combination, do not teach or suggest the present invention as claimed in claims 1, 24 and 28. Thus, the present invention as claimed in claims 1, 24 and 28, and their corresponding dependent claims, is patentable

over the above references.

Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a) and submits that the pending claims are in condition for allowance.

Applicant respectfully requests reconsideration of the application and allowance of the pending claims.


Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

Dated: August 26, 2005



Marina Portnova
Attorney for Applicant
Registration No. 45,750

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300